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Date: 2/1/2008 11:05 AM
Subject: Eastshore docket 06-AFC-06

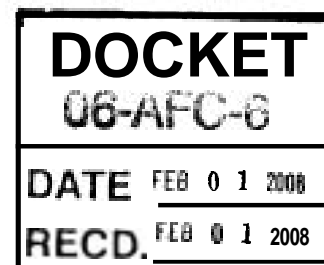
Jennifer & to Docket:

Attached for docketing are the distances which Group Petitioners provided yesterday, but according to an email from Jane Luckhardt yesterday might not be included in the applicant's table.

Jennifer if you can include, please do so. However, as counsel for Chabot informed you this morning, Group Petitioners are not stipulating to anything we have not had an adequate opportunity to review.

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EASTSHORE ENERGY CENTER – DISTANCES IN QUESTION

Applicant's DRAFT as of January 25, 2008

Red Notations Are From Group Petitioners comparing CEC staff draft (pdf) of 1130108 (as of 1131108 Applicant's most recent and City's measurements as of that date still not released)

Important Note re Variables From Group Petitioners: EEC diameters are East to West 919 **ft** wide and North to South 287 ft wide, therefore leaving a variable of center to the edge of the border respectively of 459.5 ft and 143.5 ft. Likewise, Waterford Apartment Complex is approx. 842 feet in width & Ochoa School is 800 feet in width, leaving respective variables of 421 feet and 400 feet from center to the edge of the border. This is **important** since people do **not** soieiy gatner in one **location** in **the middle but circulate throughout properties**.

Measurements by Group Petitioners rely on **Google Earth** and are approximate.

Distances in Question per the request of Hearing Officer Gefer Draft provided by applicant 1125109 ; as no updates were provided as of 1/31/08 , Group Petitioners utilize this last draft incorporating the determinations by CEC staff 1/30/08	Feet (rounded to the nearest foot)	Description
Distance of Eastshore to the Hayward Executive Airport Grp Petitioners: Agree w/ CEC Staff: 5,606	6590 feet	Distance measured from center of Eastshore site to Hayward Executive Airport using reference points provided by the City of Hayward , R. Baumann. Should be boundary to boundary per statute
Distance of Eastshore to the Oakland International Airport Grp Petitioners: Should be boundary to boundary per statute	41920	Distance measured from center of Eastshore site to Oakland International Airport using reference points from City of Hayward , R. Baumann.
Distance of Eastshore from Hayward Airport airspace, takeoff and landing flight patterns, and Hayward Airport Zoning Plan (AAZP) area Grp Petitioners: Agree w/ CEC Staff except for 279: testimony clearly establishes there is no "hard line" to measure from, the traffic pattern zone is a fluid area that depends on the size and speed of the aircraft and therefore Grp Petitioners contend this should be 0	In progress	Confirmation of appropriate methods of measurement in progress through Eastshore's coordination with the City of Hayward .
Distance of Eastshore from Oakland International Airport	In	Confirmation of appropriate methods of measurement in

Distances in Question per the request of Hearing Officer Geffer Draft provided by applicant 1/25/09; as no updates were provided as of 1/31/08, Group Petitioners utilize this last draft incorporating the determinations by CEC staff 1/30/08	Feet (rounded to the nearest foot)	Description
airspace, takeoff and landing flight patterns Grp Petitioners: Agree w/ CEC Staff	progress	progress through Eastshore's coordination with the City of Hayward.
Distance of Eastshore from Russell City Energy Center (RCEC) site Grp Petitioners: Agree w/ CEC Staff 2,942 from boundary to boundary (Note re "variables" created from measurements from "center")	3323	Distance measured from the center of the Eastshore site to the center of the RCEC site.
Distance of Eastshore from Chabot College campus center (include size of the campus) Grp Petitioners: Have notified CEC Staff they may have made a typographical error. Agree w/ CEC staff visual diagram that the distance from border to border is 2,826 feet.	4761	Distance measured from the center of the Eastshore site to the center courtyard/quad of Chabot College.
Distance of RCEC from Chabot College campus center Grp Petitioners: Agree w/ CEC staff visual diagram that the distance from border to border is 6,762 feet	7972	Distance measured from the center of the RCEC site to the center courtyard/quad of Chabot College.
Location of Chabot College campus center relative to RCEC and Eastshore	See above	
Distance of Eastshore from Alameda County's Redevelopment Agency's nearest projects Grp Petitioners: Agree w/ County diagram that the distance from closest border to border is 1,115 feet	1468	Distance measured from center of Eastshore site to closest Alameda County Redevelopment County nearest project area
Distance of Eastshore from nearest residences, schools, hospitals, office buildings,		Additional distances to other sensitive receptors in progress. Distance measured from center of Eastshore site to center of Waterford Apartment complex is 2738 feet. Group Petitioners arrive at 2,171 feet or .41 miles. Note that the diameter of Waterford is approx. 842 feet. Therefore there is a

<p>Distances in Question per the request of Hearing Officer Geffer Draft provided by applicant 1/25/09; as no updates were provided as of 1/31/08, Group Petitioners utilize this last draft incorporating the determinations by CEC staff 1/30/08</p>	<p>Feet (rounded to the nearest foot)</p>	<p>Description</p>
<p>commercial entities, industrial entities (see FSA, Exhibit 200, Land Use section, p. 4.5-25 re "Sensitive Receptors")</p> <p>Group Petitioners agree with CEC Staff on office buildings, commercial entities and industrial entities, distance is "0"</p>		<p>margin of 421 feet from the "center"; likewise, EEC is 919 feet wide (E-W) and 287 feet wide (N-S), creating another variable of 459.5' from the center to border and 143.5' respectively</p> <p>Distance measured from center of Eastshore site to center of Life Chiropractic College is 919 feet.</p> <p>Distance measured from center of Eastshore site to center of ITT Technical Institute is 4769 feet.</p> <p>Distance measured from center of Eastshore site to center of Eden Gardens School is 4015 feet.</p> <p>Group Petitioners arrive at 3,664 feet from the EEC facility (as defined by the FSA) to the nearest school building</p> <p>Distance measured from center of Eastshore site to center of Anthony W. Ochoa School is 3537 feet.</p> <p>Group Petitioners arrive at 3,192 feet from the EEC facility (as defined by the FSA) to the nearest school building</p> <p>Distance measured from center of Eastshore site to center of Lea's Montessori located at 26236 Adrian Avenue is 5624 feet.</p> <p>Distance measured from center of Eastshore site to center of Kaiser Hospital is 7977 feet.</p> <p>Distance measured from center of Eastshore site to center of Kaiser Medical Center is 7559 feet.</p> <p>Distance measured from center of Eastshore site to center of St. Rose Hospital is 9636 feet.</p> <p>Distance measured from center of Eastshore site to center of</p>

Distances in Question per the request of Hearing Officer Geffer Draft provided by applicant 1/25/09; as no updates were provided as of 1/31/08, Group Petitioners utilize this last draft incorporating the determinations by CEC staff 1/30/08	Feet (rounded to the nearest foot)	Description
		Eden West Convalescent Hospital is 3218 feet.
Height of existing industrial stacks within the AAZP area; the current zoning height limitations; the number of Conditional Use Permits (CUPs) granted to allow the height variances in the AAZP area.	In progress	Confirmation of locations of other industrial stacks is in progress with City of Hayward. There are no height restrictions within the Industrial Zone District, as well as no CUPs or variances for tall structures in the AAZP area, according to the City of Hayward, R. Baumann and David Rizk, 1/18/08.
Height and number of RCEC exhaust stacks and distance of RCEC from Hayward Executive Airport		<p>There are two 145-foot tall exhaust stacks associated with the RCEC project. The distance from the center of the RCEC site to the Hayward Executive Airport is 9569 feet (measured based upon the runway end coordinates provided by R. Baumann, City of Hayward).</p> <p>The distance from the center of the RCEC to the Hayward Executive Airport is 10060 feet (measured based upon reference points from provided R. Baumann, City of Hayward).</p>